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ABSTRACT

This paper presents the Chicago Urban League's (CUL) proposal for desegregating Chicago's public schools, developed in response to the demands of the State Board of Education and to local resistance against integration requirements. The CUL plan is based upon revisions of administrative sub-districts, and allows for a variety of racial compositions within sub-districts with attention also given to economic class factors. Under the plan, Chicago is divided into 24 sub-districts. The measure of average student miles for the sub-districts ranges from .77 to 2.79. Racial compositions of the sub-districts vary, with three sub-districts (as opposed to the current 11) serving more than the desirable maximum, 80%, of the total population from one racial group. The percentage of economically disadvantaged students also varies, with only two (as opposed to the current six) sub-districts serving a population of more than the desirable maximum of 50% poverty students. The total enrollment per sub-district is between 10,000 and 20,000 pupils. (MK)

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SCHOOL DESEGREGATION PROPOSAL

On December 14 or shortly after that we expect conclusion of the latest round in a protracted conflict over racial integration in Chicago public schools. The parties immediately involved are the Illinois State Board of Education and the Board of Education of the City of Chicago, along with their chief administrative officers. The issue right now is whether Chicago authorities have by this time developed a pupil integration plan which the State Board can accept, and on the basis of which the State can call off the conflict and bring this controversy to a close.

Under considerable political pressure, and because of its own failure to state precise and defensible integration requirements, ths State Board may have been driven to a position where the Chicago Board will set the terms for settlement. If that is so and if this is the final round of the controversy, we are afraid that Chicago officials will have successfully resisted State authority and avoided any significant reform of a highly segregated school system.

The Chicago Urban League among other interested outsiders has sought to influence resolution of the current controversy with hopes that a substantial beginning for integration of the school system would result. As explained in a document made public just a few weeks ago, we do not see such a beginning in the Chicago Board's "Access to Excellence" plan which will be the subject of the State Board's next judgment.

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Most of what follows is a proposal, aimed mainly at the State Board, suggesting concrete requirements for Chicago, which they must meet in order to comply with statutory mandates for an integration policy. It is a proposal which occupies a middle ground between the original formal demands of the State and the avoidance strategy of Chicago officials. In order not to lose the present opportunity entirely, and to avoid its own demise as an enforcement authority, the State Board must extend the negotiations at least one additional round, beginning with a very clear and specific standard of acceptability for a Chicago plan.

The State Board of Education has acted according to its own set of administrative rules and guidelines. Those rules ("Rules Establishing Requirements and Procedures for the Elimination and Prevention of Racial Segregation in Schools") define procedures by which the State Board may enforce compliance with Illinois statutes requiring a pupil integration policy of every local school authority. The Rules also include a standard definition of integrated schools, calling for a balanced distribution of white and non-white pupils among all the schools of a district.

Commonly known as the "15 percent rule," this racial balance standard is the formal test of local compliance with the integration laws. When any individual schools have non-white enrollments which differ by more than 15 percentage points from the non-white proportion in the district, the schools are in "non-conformance" with the State Rules and the State Board is invited to extract a local plan for desegregation of those schools.

Needless to say there are a great number of Chicago schools which do not conform to this standard, and much of the local resistance to integration

requirements has focused on the State Board's implicit goal of enforcing this unfortunate rule. The State's retention of the racial balance rule as a formal definition of its objective, while at the same time inviting compromise standards, has been a major error of principle and strategy. Because the State Board has not developed any alternative standards of its own, there are no definite and specific requirements at all for a Chicago plan.

The need for an explicit alternative to the 15 percent rule seems clear. The racial balance standard is worse than impractical for Chicago; it is now close to meaningless. Enforcement of the rule would require that white pupils concentrated in the northwest and southwest corners of the city be reassigned to South and West side schools which are currently all-black, and which would trade at least as many students with the predominantly white communities. Not only would this generate a political and legal resistance which the State Board and the Board's Rules could hardly withstand, it most likely would render those rules vacuous. Last year the number of white pupils in Chicago schools fell below 25% of total enrollment, this year it may already have fallen to 20%. If the number of white pupils should fall to 15%, for whatever reason, every school in Chicago which is 100% non-white would conform to the State Board's definition of an integrated school.

The Chicago Urban League has stated similar judgments on the racial balance standard before. We have not stressed the point in the past, because we did not want to detract from the State Board's general purpose and authority. We also suspect that local authorities simply use the reasonable

agrume.its against the 15 percent rule as an excuse for their resistance to any amount of deliberate integration. The time has come, however, to recognize that reliance upon an unrealistic, abstract racial balance standard has been more debilitating than conducive to the development of an actual integration plan for the Chicago school system, given local conditions.

While so much attention has been focused on the State Rules -- about racial balance in every school and mandatory back-up plans -- hardly any attention at all has been paid to the legal origin of the integration issue.

Much of the public is no doubt still confused about the actual source of the controversy. Despite pretensions of some federal officials and private parties, this dispute has not been and is not at present a federal case. It has not arisen from proven violation of the Constitutional prohibition against intentional segregation of pupils. It does not directly involve the so-called "law-of-the-land" as defined in federal court judgments. Nor do the State Board rules constitute the basis in law for Chicago's expected compliance with integration requirements.

The actual mandate is stated in two sections of Chapter 122 of Illinois Revised Statues (the School Code). This is indeed the law of the State of Illinois. The statute, commonly known as the Armstrong Act, is stated in two forms with reference to Chicago schools. The first is a general statement applying to all Illinois districts including Chicago. We quote it in full:

> The school board has the duty... to establish one or more attendance units in the district. As soon as practicable, and from time to time thereafter, the baord shall change or revise units in a manner which will take into consideration

> the prevention of segregation and the elimination of separation of children in public schools because of color, race or nationality. (Article 10, Section 21.3; Chapter 122 of Illinois Revised Statues, 1976)

And then, with reference to Chicago in particular:

> The Board... shall have power... to divide the city into sub-districts and apportion the pupils to the several schools, but no pupil shall be excluded from or segregated in any school on account of his color, race, sex, or nationality. The Board shall, as soon as practicable, and from time to time thereafter, change or revise existing sub-districts or create new sub-districts in a manner which will take into consideration the prevention of segregation and the elimination of separation of children in public schools because of color, race, sex or nationality... Nothing herein shall be construed to permit or empower the State Board of Education to order, mandate, or require busing or other transportation of pupils for the purpose of achieving racial balance in any school. (Article 34, Section 18; Chapter 122 of Illinois Revised Statues, 1976)

Thus, there are two clear requirements, in the law itself, for deliberate action by the Chicago Board to construct administrative units within the district with a specific and direct objective being the improvement of inter-racial mixtures within individual schools and large units. The State Board's Rules are a specific instrument for administrative enforcement of the law. Even if the present rules are inapplicable, the law itself must still be enforced. Its language can be lifted almost verbatim and presented to the Chicago Board as the State's requirement for an integration plan.* If the State Board required local officials to alter sub-districts or school

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*As for the prohibition of a State Board order of "busing" for racial balance, we would have to leave the precise meaning to judicial interpretation. However, if standard attendance units are so constructed, or if access to a school program is from a large enough area that transportation must be provided as a practical convenience, this would not appear to violate the anti-busing clause. For unless that one sentence is intended to negate the remainder of the statute, we can only take it to mean that the State cannot order transportation and pupil trade-offs between widely separated attendance areas as a direct and solitary means of enforcing racial quotas.

attendance boundaries for maximal integration given local demography, there can be no argument about the State Board's consistency with State law.

The recommendation that compliance standards for Chicago be based more directly upon the statutes is not new. As a member of Chicago's City-Wide Advisory Committee on integration planning (CWAC), the Chicago Urban League offered what has been called the middle school plan. It is a proposal which embodies both statements of the Armstrong Act.

It may be recalled that the CUL plan called for creation of middle schools as new attendance units throughout the city, enrolling all sixth through eight grade pupils from regions larger than current elementary school attendance areas. It was also recommended that each middle school draw only from within the sub-district where it is located. Accordingly, we proposed revision of the existing sub-districts to improve interracial mixtures within them and to define for each the racial proportions expected at its middle school(s).

We now make that proposal again with special emphasis upon the revision of the sub-districts. This would set a structural basis for other, more specific integration measures which the Chicago Board might adopt, including but not limited to creation of middle schools. A specific design for a new division of the system into sub-districts, along with a detailed description and explanation is attached to this general narrative.

An important feature of the design is the variety of racial compositions it permits for the different sub-districts. This is according to our own principle that specific numerical standards for racial compositions need

not override all other considerations or be considered sacred. In developing this proposal we set some general goals for racial makeup and attempted to meet those goals in as many sub-districts as was feasible. The general objective though is to improve the racial heterogeneity of sub-districts over their current compositions, and to put this above other considerations as an explicit criterion for sub-district designs.

A second criterion used in shaping these sub-districts is economic class balance. It is very important to us that the class factor be included in definitions and goals of integration plans. The total concentration on race in discussions of school segregation overlooks the growing isolation of the poorest segments of the school population in certain areas of the city. Though maybe less pernicious, this other segregation is perhaps more detrimental to pupils' educational achievement. We must point out, in this regard, that a major Urban League criticism of Chicago's present Access to Excellence plan is that while it pretends to integrate pupils according to race, its more likely real effect will be to worsen pupil separation according to economic class and social privilege.

We have taken the time to construct a thorough and specific re-districting proposal in order to demonstrate a standard against which a similar effort by the Chicago Board might be judged. If the State Board were simply to state a new kind of requirement without any measure for compliance, their position would not have improved all that much. The Chicago Board has recently considered two redistricting proposals and rejected both. In neither case did they study or decide upon the proposals with overt attention to racial integration effects, or as explicit plans for

compliance with the statutory requirement. But neither did they deny the practicability or timeliness for revision of the sub-districts. Right in the midst of its negotiations with the State, the Chicago Board has had an opportunity to comply with the State law being enforced, and has rejected that opportunity.

The State Board is offered the Chicago Urban League's redistricting design as a model for what at the very least must be demanded in an improved desegregation plan for Chicago Public Schools. We do not presume that this specific design is necessarily the best or the only one which can be devised and found acceptable. The method of construction, and the limited range of information which we could consider, make this design subject to alterations. Chicago school officials would have the duty of constructing a final design for sub-district revisions. Our point is that a better set of sub-districts is clearly possible. They can be created if the task is required and taken seriously.

We stress these points in anticipation of criticism aimed obstensibly at specific features of the Urban League model but having an actual intent or affect of resisting the general requirement. The Chicago Urban League does not pretend to be writing the actual, official plan for integration of the public school system.

A plan for creating middle school attendance units and one for revision of the sub-districts are both germane to the immediate question of acceptability for Access to Excellence. There is nothing in the middle school or redistricting proposal which is contrary to or incompatible with the voluntary enrollment options constituting the present Chicago plan.

The fact that the Access plan leaves existing and long standing mandatory assignment policies intact (policies which reinforce segregation), proves the general point.

While the State Board's initial review found Access to Excellence insufficient as an integration plan, we find it mostly irrelevant. The plan openly declares that deliberate action by school officials toward integration of existing schools should be avoided entirely, in favor of a substitute effort which merely permits and hopes for some token integration in a handful of classrooms. Leaving the existing system -- segregation and all -- entirely intact, the Chicago Board asks the State to accept some new programs where integration is an abstract opportunity for interested and specially selected pupils.

Not only is the special domain for integration detached and carefully restricted, it is mostly constituted of extraneous instructional content and much of what would otherwise be called extra-curricular activities. The contents of Access to Excellence are likely to be the most expendable programs for a system suffering a worsening budget crunch. The plan is a thin cosmetic layer over the existing system. Its very application suggests something embarrassing underneath.

Since the procedural arrangement agreed to by the State Board is to accept the current plan as a point of departure, the redistricting requirement would be especially germane. Access to Excellence already includes provision for discretionary planning of programs and activities to serve pupils within sub-districts. It is one of the more attractive components in that the programs are not predefined and may be conceived and implemented

with participation and consent from parents -- the actual people who must be integrated, and who must agree to be integrated in a voluntary program.

The first problem with this component is that it is too small and is allotted too little of the total resources for Access to Excellence. The more fundamental problem is that intra-district planning is proposed for the existing districts. Some of these already include racially diverse enrollments, but the entire collection of districts must be improved in this respect to make the integration objective believable. As a beginning to integration, within the current districts, this component of Access to Excellence is like learning to swim on dry land. It points up the general fault of a plan which illogically avoids any alternations in the fundamental structure of the school system.

The most attractive aspect of integration efforts within the sub-districts, as a concept, is that the school and community populations affected would be better circumscribed. At least in logical terms, this should make it easier to involve parents and others in the conception and preparation of programs which these same people are expected to find attractive. The administrators involved and responsible for the effort would be more permanently and regularly attached to the communities served. This arrangement should give some advantage over plans and programs designed by distant and socially detached administrators for the entire system, which must be offered and made attractive on face value alone. Even the voluntary enrollment programs might be better administered and promoted within appropriately constructed sub-districts.

But the Chicago Board's responsibility is hardly fulfilled by total reliance upon popular choice for the actual integration of pupils; the fact that this issue exists at all is because racially mixed schools have not been very popular among all racial groups. The creation of middle schools is as well founded under the law as revision of the sub-districts. Some such mechanism is required for filling the gap between structural preparations and the realization of their intent.

Assignments to the middle schools would be no more mandatory than present assignments to the neighborhood elementary or high school, and no less so. Their establishment would not constitute a "busing" program of the standard sort where existing identifications of schools with racially distinct neighborhoods is retained while arbitrarily selected pupils are traded between them. Middle schools would form a point of functional intersection for surrounding primary schools which might be very different in racial compositions. Thus, the middle schools would each integrate a group of schools as well as pupils.

While creation of middle schools throughout the city would necessarily take a few years, the Chicago Board can be required to establish models for such institutions, in at least a few sub-districts, by the fall of 1979.

There are other requirements for a final Chicago integration plan which we recommend:

1. Since the sub-districts should be designed around elementary schools, the plan should separate the high schools from sub-district administrations. They should be operated in a city-wide

district and all high school enrollments should be opened to wider areas of the city.

2. The transfer program to relieve overcrowding in some schools -- currently permissive -- should be made an assignment program, after determining some level of intolerable overcrowding at any school.
3. Another direct improvement on programs in the existing Access to Excellence package would be to move some programs periodically between different sites in different communities. Some Access programs (e.g., academic interest centers, advanced placement classes) need not be permanently located at a single school.

Such requirements as these should put the State Board of Education in a position where employment of its enforcement power is fully justified. No longer would the State's action be based upon questionable rules and standards; it would enforce the law itself. Enforcement of the Armstrong Act does not require that the school authority be found guilty of deliberate segregation of pupils according to race. The law requires independent action by the school board to correct racial segregation simply if it exists. Also overlooked in public discussion of this controversy is an Illinois Supreme Court decision of 1968, setting a precedent for interpretation and enforcement of the Armstrong Act.

Three years after passage of the Act (which became the law in Illinois in 1963) parents in the Waukegan school district charged their school board with non-compliance with the legal mandate. They sued because of that board's failure, within a reasonable period, to change or revise attendance areas for prevention or elimination of segregation. The parents won a

state court order integrating the school enrollments, on the simple basis of prior failure by the Waukegan board to act on its own initiative.

The case is Tometz vs. Waukegan Board of Education (Supreme Court of Illinois, 1968) which established that the Armstrong Act requires independent correction of de facto segregation. Predictably, the Waukegan Board pleaded innocent to any deliberate segregation of pupils. The Court's judgment was that enforcement of this law does not presume special guilt of school authorities for creating segregated schools; all it requires is failure or refusal to integrate enrollments where practicable, as a standard policy. Moreover, the Armstrong Act requires an integration policy specifically, not a policy for relief of overcrowding or for improvements in the "quality of education."

Another defense attempted by the Waukegan Board in Tometz was to describe the Armstrong Act as too vague for compliance and enforcement, because it lacks any definition of a segregated school and hence any numerical objective for an integration policy. The court, however, stuck to its overriding theme in ruling that the duty of the Board was to reduce racial concentrations where opportunities were available, and to the extent possible under reasonable constraints.

Waukegan's argument that the law was vague and without guiding criteria, may have motivated the subsequent adoption of integration rules and standards by the State Board of Education. But the Court's decision, coming when it did, must mean that the Board's rules, as an intermediary instrument, are not necessary for enforcement of the Armstrong Act. With

or without the State Board's rules, racial isolation in Chicago's schools and sub-districts is manifest. That these conditions can be improved is demonstrated.

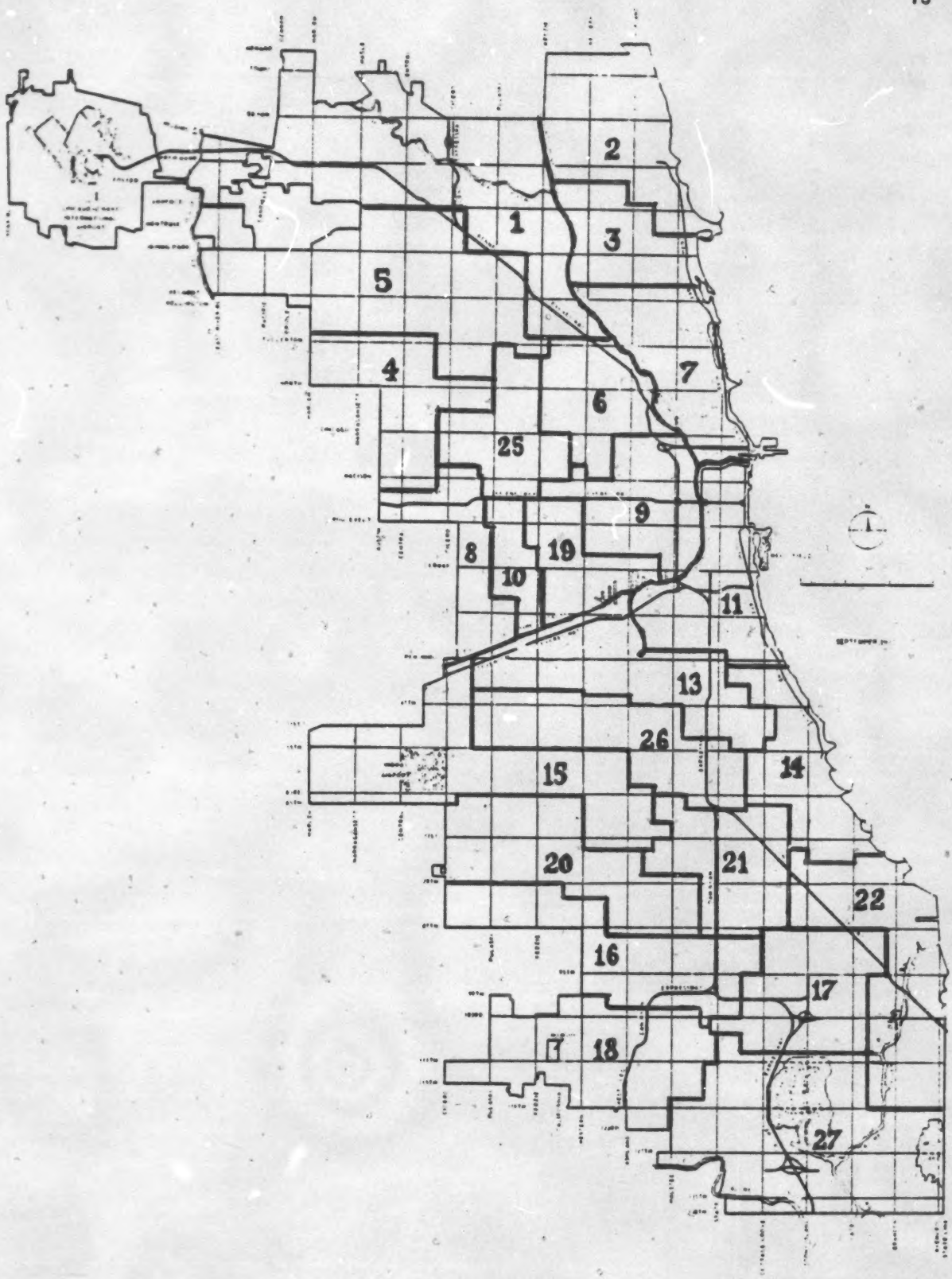
It is possible that a private party could extract an integration plan from the Chicago Board of Education in an Illinois Court, without a great deal of difficulty. Parties other than those who regularly operate the schools might determine the details of an official integration order. Given its present opportunity, the State Board of Education should take this responsibility instead.

A Model for Revision of the Sub-Districts of the Chicago School System[1]

The map on the following page summarizes the revision of sub-districts for improvement of racial integration. There are a total of 24 sub-districts in our model for revision. This reduces the existing number in the Chicago system by three. There are now 27 sub-districts, we are proposing only 24.

All of the revised sub-districts include collected portions of some current sub-districts (e.g., our sub-district #13 is carved out of protions of current sub-districts numbered 13, 26 and 12). The number designating any

[1]The basic design for revised sub-districts was prepared by Professor Linus Schrage of the School of Business at the University of Chicago, as contracted by the Chicago Urban League. A computer program was designed and used to collect schools and to measure cumulative factors for sets of schools, against pre-determined demographic standards. Final adjustments to the consultant's original design were made by the Chicago Urban League.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sub-district in our model is simply to label geographic areas of the system in ways which are similar to the current scheme employed by the Chicago Board of Education. The current numerical labels which disappear entirely from our model are #12, 23 and 24.

It should be noted that each sub-district is first of all a collection of schools. The geographic boundaries on our map are simply drawn to enclose the collections of schools. In actual practice the boundaries would be adjusted to conform to attendance area boundaries of individual schools on the geographic edges of any sub-district.

Our reduction in the total number of sub-districts includes the example of recent proposals to the Chicago Board by Supt. Hannon. The superintendent's proposals took away sub-district designations 23 and 24 and reduced the total number by two. Our model also combines portions of the current sub-district #12 with portions of others (or vice versa) for the primary purpose of improving racial mixtures in resulting sub-districts, as well as that of reducing differences in total enrollments.

A final general comment on the map shown here is that it is by definition a gerrymandering scheme, but no more or less so than the current division of the school system into sub-districts. If this model is compared to the current map for the system it should be noticed that our boundaries are no more contorted than the present ones. The geographic sizes or shapes of sub-districts are not unlike those in the current design. We also showed similar respect for natural boundaries, most decisively the Chicago River and the Stevenson Expressway/Sanitary Canal corridor.

We draw special attention though to a measure devised for describing the compactness or dispersion of the student population within each sub-district. The measure is dubbed "average student miles" and estimates the average distance any student would travel from his/her current school to a geographic "center of student population" in the sub-district. The measure is sensitive to different enrollments at different schools within a sub-district and thus to the relative densities of pupil populations in the sub-district areas. The measure of average student miles, like all other numerical data involved in this model, is for regular elementary school enrollments only. Primarily, it is to serve as a functional index of distances to be traveled by students, from their current schools to a central location within the sub-district. This, of course, anticipates assignment of pupils to such a facility as a centrally located middle school.

The measure of average student miles for each of the current sub-districts ranges from a low of .67 miles (most compact student population) to a high of 2.75 miles (most dispersed). For the sub-districts in our model the measure ranges from .77 miles to 2.79. Thus, the compactness of the revised sub-districts is very much like that of the current ones, despite the reduction in total number of sub-districts. Our sub-district (#1) with greatest pupil dispersion is only slightly larger by this measure than the most sparsely populated of the existing sub-districts (also #1).

The most important features of this design are the racial compositions of the revised sub-districts. The table on the following page shows race and class group percentages in each of the existing and proposed sub-districts, for the critical comparison.

COMPARISONS OF RACE AND CLASS COMPOSITIONS IN EXISTING AND PROPOSED SUB-DISTRICTS

	EXISTING SUB-DISTRICTS				PROPOSED			
DISTRICT	BLACK	WHITE	OTHER	POOR	BLACK	WHITE	OTHER	POOR
1	2%	79%	19%	8%	2%	75%	23%	9%
2	9	66	25	7	13	56	31	17
3	4	57	39	18	6	54	40	21
4	69	26	5	37	72	18	10	42
5	2	64	34	15	4	79	17	10
6	9	17	74	41	18	15	67	40
7	60	23	17	46	47	29	22	41
8	98	0	2	59	78	5	17	43
9	93	2	5	64	66	5	29	50
10	65	5	30	41	74	1	25	50
11	96	1	3	62	76	13	11	51
12	13	76	11	9	--	--	--	--
13	100	0	0	72	77	19	4	57
14	95	4	1	47	96	3	1	50
15	60	34	6	30	70	28	2	35
16	99	0	0	26	77	22	1	19
17	38	29	33	15	74	2	24	23
18	78	20	2	24	78	20	2	24
19	36	5	59	36	44	4	52	40
20	100	0	0	35	76	21	3	26
21	100	0	0	59	100	0	0	48
22	93	1	6	38	72	13	15	32
23	100	0	0	66	--	--	--	--
24	17	44	39	30	--	--	--	--
25	61	9	30	49	60	9	31	48
26	48	28	24	39	73	13	14	49
27	98	1	1	40	86	12	2	37

	Existing	Proposed
Number of sub-districts with more than 80% in one group:	11	3
Number with more than 50% poverty pupils:	6	2

Racial compositions was of course the first criterion in determining the sub-district revisions. We approached the problem as described below:

1. The racial groupings considered distinct are black, white and "other (the largest of the other groups is hispanic).
2. The number of pupils with which we have worked are those enrolled at regular elementary schools according to the Chicago Board's "Racial/Ethnic Survey" of October 31, 1977. (It must be noted that these figures, especially the numbers and percentages of white pupils, have most likely changed by this date. For that reason the white percentage in any of the revised sub-districts may be slightly overstated.) Each sub-district is composed by combination of a set of schools and school enrollments within a geographic area.
3. The goal we set for racial composition in a sub-district was to have no one of the three groups exceed 80% of the total sub-district enrollment.
4. A companion criterion to racial composition was economic class composition. The number of pupils at any school from low income families is estimated as the same percentage of such children residing in the school's attendance area. (This data comes from Chicago's application for federal ESEA, Title I funds for service of disadvantaged pupils. In this case, the number of "poor" pupils is most likely overstated.) The goal for class composition was to have no more than 50% of the pupils be from low income families.
5. The limiting criteria were total enrollments, which we tried to keep between 10,000 and 20,000 pupils, and geographic size and shape. The later criterion was not quantitatively defined and was

indeed somewhat esthetic in nature and in application. Size and shape were controlled by visual examination along with the measure of compactness (average student miles) explained earlier.

The most significant result of our revision of the sub-districts is the reduction of racial concentrations. The existing sub-districts include 11 where the black enrollment is greater than 90%; four of these sub-districts are 100% black. Our revised set includes only three with black enrollments exceeding 80% and only one which is all-black.

Among the existing sub-districts there are also six with more than 50% of the resident children from low income families. Each of these sub-districts also has a school enrollment more than 90% black. The Urban League model includes only two sub-districts where more than 50% of the children are from poor families. Neither of these is more than 60% impoverished and neither sub-district is more than 80% black.

Finally, the total regular elementary enrollments in the existing sub-districts range between 6,000 and 23,000. The model for revisions includes no sub-districts outside the 10,000 to 20,000 range for total enrollments.